## EXHIBIT H

Neurontin Track One (Plaintiff / Prescriber / Expert Depos) Smith, Ruth (Smith) 4/12/2007

Printed: 5/5/2008

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UNITED STATES DISTRICT COURT
1
             DISTRICT OF MASSACHUSETTS
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                                                                                    INDEX
2
              MDL DOCKET NO. 1629
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                                                                           WITNESS
                                                                                                         PAGE
3
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                                                                         RUTH B. SMITH
     In re: NEURONTIN MARKETING, )
4
                                                                           Direct examination by Mr. Ferguson
                                                                    4
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5
     SALES PRACTICES AND PRODUCTS) DEPOSITION UPON
                                                                    6
                                                                                 EXHIBITS
                     ) ORAL EXAMINATION
                                                                    7
                                                                         EXHIBIT
                                                                                        DESCRIPTION
                                                                                                               MARKED
     LIABILITY LITIGATION. )
                                                                    8
                                                                               Copy of Medical Records with
                     ) RUTH B. SMITH
                                                                               Handwritten Notations
                                                                    9
                        VOLUME 1
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                                                                               Eckerd Rx Advisor
                                                                                                             142
10
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11
                                                                               Letter Written by Dr. Wood
                                                                                                               159
12
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            TRANSCRIPT of the stenographic
13
                                                                         5
                                                                               Copy of Handwritten Note
                                                                                                               182
14
     notes of JANE LORFING COLWELL, a Certified Shorthand
                                                                    13
15
     Reporter and Notary Public of the State of New
                                                                    14
     Jersey, taken at the Four Points by Sheraton Newark
16
                                                                    15
     Airport, 901 Spring Street, Elizabeth, New Jersey, on
17
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18
     Thursday, April 12, 2007, commencing at 9:09 a.m.
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21
                                                                    20
22
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          REPORTING SERVICES ARRANGED THROUGH:
23
                                                                    22
            VERITEXT REPORTING COMPANY
                                                                    23
24
            25B Vreeland Road, Suite 301
                                                                    24
           Florham Park, New Jersey 07932
25
                                                                    25
                                                             2
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     APPEARANCES:
                                                                    1
                                                                                (Exhibit 1, Copy of Medical Records with
        FINKELSTEIN & PARTNERS, LLP
2
                                                                    2
                                                                             Handwritten Notations, marked for
        436 Robinson Avenue
                                                                    3
                                                                             identification.)
3
        Newburgh, New York 12550
        (800) LAW-AMPM
                                                                    4
                                                                                THE VIDEOGRAPHER: Good morning. My
4
        BY: ANDREW G. FINKELSTEIN, ESQ.
                                                                    5
                                                                         name is Daniel McClutchy of Veritext/New Jersey. The
          afinkelstein@lawampm.com
                                                                         date today is April 12, 2007, and the time is
                                                                    6
5
        For the Plaintiffs Smith
6
        CLARK, THOMAS & WINTERS, A PROFESSIONAL
                                                                    7
                                                                         approximately 9:09 a.m.
        CORPORATION
                                                                    8
                                                                                This deposition is being held at the
7
        300 West 6th Street, 15th Floor
                                                                    9
                                                                         Four Points Sheraton in Elizabeth, New Jersey, 901
        P O Box 1148
8
        Austin, Texas 78767
                                                                    10
                                                                         Spring Street. The caption of this case is In re:
        (512) 472-8800
                                                                    11
                                                                         Neurontin Marketing, Sales Practices and Products
9
        BY: KENNETH J. FERGUSON, ESQ.
                                                                    12
                                                                         Liability Litigation in the U.S. District Court,
           kjf@ctw.com
        For the Defendants Pfizer and Warner-Lambert
10
                                                                    13
                                                                         District of Massachusetts. Docket No. 1629. Master
11
                                                                    14
                                                                         File No. 04109811. The name of the witness is Ruth
     ALSO PRESENT:
12
                                                                    15
                                                                         B. Smith.
        Daniel McClutchy, Videographer
                                                                    16
                                                                                At this time the attorneys will identify
13
                                                                         themselves and the parties they represent, after
14
15
                                                                    18
                                                                         which our court reporter, Jane Colwell, will swear in
16
                                                                    19
                                                                         the witness and we can proceed.
17
                                                                    20
                                                                                MR. FINKELSTEIN: On behalf of Richard
18
19
                                                                    21
                                                                         Smith, Ruth Smith, and the Smith family, Andrew
20
                                                                    22
                                                                         Finkelstein, Finkelstein Partners.
21
                                                                    23
                                                                                MR. FERGUSON: Ken Ferguson, Clark,
22
23
                                                                         Thomas & Winters, in Austin, Texas, representing
                                                                    24
                                                                    25
                                                                         Warner-Lambert and Pfizer.
25
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	193	3	19
1	helped me.	1	2004, tell me how you were doing.
2	Q Did it help you to help them?	2	A Well, I stay very busy because I did not
3	A I've got a strong faith. Yes.	3	spend another night at my house. And I had a lot of
4	Q Do you think you got any benefit from	4	stuff to do at that house because of that bedroom
5	attending this 13-week session?	5	that was ruined, and upstairs for some reason got a
6	A Yes.	6	leak, but I handled all of it. I took care of so
7	Q What kinds of things were they	7	much. And I put my house on the market with my
8	discussing? How you could deal with the loss?	8	broker. And it sold in about three, four weeks.
9	A Yes. No one could really help, maybe	9	Then I bought a condominium, and I had
10	because mine was different.	10	it gutted and redone. I just kept myself busy. And
11	Q Because yours was what?	11	I still stay with my real estate and, you know,
12	A Mine was different. My loss was a	12	church. Evidently I did real well.
13	different they couldn't identify with losing a	13	Q How soon did you get back to working
14	loved one through suicide.	14	real estate after your husband's death?
15	Q No other individuals there had lost a	15	A I don't know that I really I would go
16	loved one through that means?	16	in the office, but that entire year was sort of taken
17	A Right.	17	up with taking care of legal things and a lot of
18	Q Any other grief counseling, anything	18	things.
19	like that you've gone to other than the 13-week	19	Q So you said you never spent another
20	program?	20	night in the house.
21	A No.	21	A No.
22	Q At the time of your husband's death,	22	Q Where did you did you move in with
23	what church were you attending?	23	one of your daughters immediately?
24	A Jackson Park Church of Christ.	24	A Sherri. Took me to Franklin. That's
25	Q Who is the pastor there then?	25	where they live. And I stayed there until they had
	194	4	19
1	19 <sup>,</sup> A Jim Olive, O-L-I-V-E.	4 1	19 to go to took Donna to Mexico to see if she could
1 2			
	A Jim Olive, O-L-I-V-E.	1	to go to took Donna to Mexico to see if she could
2	A Jim Olive, O-L-I-V-E.  Q Before your husband's death, were you	1 2	to go to took Donna to Mexico to see if she could find some treatment there. So I went to Cindy's and
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2 3 4 5 6	A Jim Olive, O-L-I-V-E. Q Before your husband's death, were you and Richard close to Jim Olive? A Richard being a minister, we we weren't real personal friends. Q But you knew him?	1 2 3 4 5 6	to go to took Donna to Mexico to see if she could find some treatment there. So I went to Cindy's and spent the rest of the time with her until I got my house completed. But Donna lived between me and Cindy, and that made it convenient for me to take care of her, also.
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	22	1	2
1	Q Do you remember any of them other than	1	A We had to finally cut it down, so many
2	Mr. Bumbalough?	2	people involved.
3	A I honestly don't. We probably have a	3	Q It says the active pallbearers were
4	copy of the obituary.	4	Buford Hoskins, who we know, Gene Lawson that's
5	Q Yes, ma'am. That's what I was just	5	another of our sons-in-law; right?
6	looking for.	6	A Yes.
7	Where did the funeral services took	7	Q Drew Charlton, another son-in-law.
8	place at Granny White Church of Christ?	8	A Right.
9	A Yes.	9	Q Wes Carnahan, another son-in-law.
10	Q Was that a church you all had ever	10	Donnie, D-O-N-N-I-E, Kennedy, who is that?
11	attended?	11	A He was a friend of the family.
12	A No, we had not attended there. Two of	12	Q In what way? How did the family know
13	our daughters attended there. And the church	13	him?
14	building is next door to the University of David	14	A Well, we knew the family, but Katie was
15	Lipscomb, and with all the connections there, thought	15	actually she thought she was going to marry him at
16	it would be a central location, and it was a large	16	the time. It's another one of hers that she
17	enough building hopefully to hold the crowd.	17	Q How about A.G. Brown, initials
18	Q Do you have any estimate about how many	18	A That's my youngest brother.
19	people attended that funeral?	19	Q Neal Smith?
20	A I don't know, but I know that I stood in	20	A That is a nephew on Richard's side.
21	line for five hours greeting people, one time. And	21	Q Who are his parents?
22	the other time Richard died on Thursday. And his	22	A That was Edna and Jack's son.
23	funeral was on a Sunday, and his burial took place on	23	Q And Matt Bumbalough?
24	Monday, because they do not open graves on Sunday.	24	A He was the one I referred to at Jackson
25	Q The obituary I am looking at says	25	Park Church.
1	that that Charles Chumley, C-H-U-M-L-E-Y, was one	1	Q Bumbalough; B-U-M-B-A-L-O-U-G-H.
2	of the people officiating. Who is Charles Chumley?	2	And then there are a number of honorary
3	A Charles Chumley was well, he was a	3	pallbearers too. Just so we know who these folks
4	minister of the gospel for one thing, and he had been	4	are, I'd like to go through them quickly if we could.
5	a professor at David Lipscomb also. And he's		
		5	Mike Walsh?
6	deceased as of now.	6	Mike Walsh?  A That was a nephew, doctor in Omaha,
6 7	·		
	deceased as of now.	6	A That was a nephew, doctor in Omaha,
7	deceased as of now.  Q How about Jim Olive we've talked about?	6 7	A That was a nephew, doctor in Omaha, Nebraska.
7 8	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson	6 7 8	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?
7 8 9	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson  Park.	6 7 8 9	<ul><li>A That was a nephew, doctor in Omaha,</li><li>Nebraska.</li><li>Q Ron Carter?</li><li>A Ron was a cousin by marriage a nephew</li></ul>
7 8 9 10	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson  Park.  Q Danny Lloyd. Who is Danny Lloyd?	6 7 8 9	<ul> <li>A That was a nephew, doctor in Omaha,</li> <li>Nebraska.</li> <li>Q Ron Carter?</li> <li>A Ron was a cousin by marriage a nephew</li> <li>by marriage. Kansas.</li> </ul>
7 8 9 10	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson  Park.  Q Danny Lloyd. Who is Danny Lloyd?  A Danny Lloyd was a professor at David	6 7 8 9 10 11	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?
7 8 9 10 11	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park. Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White.	6 7 8 9 10 11 12	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.
7 8 9 10 11 12	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park. Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White. Q Dan Chambers, who is that?	6 7 8 9 10 11 12	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?
7 8 9 10 11 12 13	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson  Park.  Q Danny Lloyd. Who is Danny Lloyd?  A Danny Lloyd was a professor at David  Lipscomb and one of the elders at Granny White.  Q Dan Chambers, who is that?  A Dan Chambers was the minister at Lebanon	6 7 8 9 10 11 12 13	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.
7 8 9 10 11 12 13 14	deceased as of now.  Q How about Jim Olive we've talked about?  A Yes, he was the minister at Jackson  Park.  Q Danny Lloyd. Who is Danny Lloyd?  A Danny Lloyd was a professor at David  Lipscomb and one of the elders at Granny White.  Q Dan Chambers, who is that?  A Dan Chambers was the minister at Lebanon  Road Church of Christ where Donna and Wes attended	6 7 8 9 10 11 12 13 14	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.  Q Scott Brown?
7 8 9 10 11 12 13 14 15	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park. Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White. Q Dan Chambers, who is that? A Dan Chambers was the minister at Lebanon Road Church of Christ where Donna and Wes attended church, and that was who he was.	6 7 8 9 10 11 12 13 14 15	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.  Q Scott Brown?  A Another nephew. That's AG's sons.
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7 8 9 10 11 12 13 14 15 16 17 18	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park.  Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White. Q Dan Chambers, who is that? A Dan Chambers was the minister at Lebanon Road Church of Christ where Donna and Wes attended church, and that was who he was. Q How about Terry Smith? A Terry Smith was one of the men at Woodmont Hills Church of Christ. Very, very helpful.	6 7 8 9 10 11 12 13 14 15 16 17 18	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.  Q Scott Brown?  A Another nephew. That's AG's sons.  Q Bill Wisenhut?  A Minister. He's a nephew by marriage,  minister, Episcopal church. Actually, he's somehow
7 8 9 10 11 12 13 14 15 16 17 18 19 20	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park. Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White. Q Dan Chambers, who is that? A Dan Chambers was the minister at Lebanon Road Church of Christ where Donna and Wes attended church, and that was who he was. Q How about Terry Smith? A Terry Smith was one of the men at Woodmont Hills Church of Christ. Very, very helpful. Q And Buford Hoskins?	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.  Q Scott Brown?  A Another nephew. That's AG's sons.  Q Bill Wisenhut?  A Minister. He's a nephew by marriage,  minister, Episcopal church. Actually, he's somehow ranked.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	deceased as of now.  Q How about Jim Olive we've talked about? A Yes, he was the minister at Jackson Park. Q Danny Lloyd. Who is Danny Lloyd? A Danny Lloyd was a professor at David Lipscomb and one of the elders at Granny White. Q Dan Chambers, who is that? A Dan Chambers was the minister at Lebanon Road Church of Christ where Donna and Wes attended church, and that was who he was. Q How about Terry Smith? A Terry Smith was one of the men at Woodmont Hills Church of Christ. Very, very helpful. Q And Buford Hoskins? A He's my son-in-law. He also spoke at the funeral.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A That was a nephew, doctor in Omaha,  Nebraska.  Q Ron Carter?  A Ron was a cousin by marriage a nephew  by marriage. Kansas.  Q Bill Duffy?  A He's another nephew in Atlanta.  Q John Brown?  A That's my nephew.  Q Scott Brown?  A Another nephew. That's AG's sons.  Q Bill Wisenhut?  A Minister. He's a nephew by marriage,  minister, Episcopal church. Actually, he's somehow  ranked.  Q Bill Allen?  A Bill Allen, he was just a friend of ours

Q David. A	There are Roehrigs, Bill, Bryan and  They were part of the Nashville Office	1 2	A differer	We had funds that went to a lot of nt places, but that helped some.		
David.	•	2				
	They were part of the Nashville Office		u			
/ \		3	Q We talked about whether you all had			
Machine	• •	4		e-mail addresses. Did Richard communicate with		
			anyone by e-mail?			
Q	Right.	5		•		
	·			·		
Q	Tim Carroll?	10	Α	He had his own. With Nashville Office		
Α	He was one of the one of the men that	11	Machin	nes.		
worked	under Richard.	12	Q	How about on your home computer, did he		
Q	How about John Gray?	13	have a	nother e-mail address?		
Α	He also did.	14	Α	No.		
Q	Jim Tatum?	15	Q	So whatever e-mail address he had would		
Α	He, another one.	16	be Nas	shville Office Machines?		
Q	Another Nashville Office Machines	17	Α	Yes.		
Α	Yes.	18	Q	Do you know what the his e-mail		
Q	employee?	19	addres	s was?		
	Jack Bearden?	20	Α	I do not know.		
Α	He was another Nashville Office Machines	21	Q	Have you ever looked back or let's		
auv.		22	sav sin	•		
	Rufus Murray?		•	•		
	·			· · · · · · · · · · · · · · · · · · ·		
	22	26			22	
Q		1	I can sa	ay that much.		
Α				MR. FINKELSTEIN: Just you didn't.		
Q		3	That's f			
Α	That was another one.	4	Α	We didn't.		
Q	John Kolbe, K-O-L-B-E?	5	Q	Okay. Why didn't you?		
Α	Another one.	6	Α	Well, we just dismantled it. We didn't		
Q	Emory Smith?	7	care ab	pout that.		
Α	That's another one.	8	Q	Do you know and I realize you were		
Q	Bill Lill, L-I-L-L?	9	all sear	rching for reasons why he took his own life,		
Α	Another one.	10	and as	part of that did your daughters, any of your		
Q	James Lee?	11	daught	ers, ever try to look at what e-mails he may		
Α	Another one.	12	have se	ent or received in the weeks before his death?		
Q	Paul Billings?	13	Α	To my knowledge, they did not.		
Α	Another one.	14	Q	Do you know if he ever had any		
Q	Bobby Armstrong?	15	particul	lar friends that he would communicate via		
Α	He was a friend that just took care of	16	e-mail	with?		
	•	17	Α	Not that I know of.		
with pre	etty closely. He didn't work for the company.	18	Q	And you said that he used e-mail for his		
-				•		
	s be made to the Richard Smith Grandchildren	21	-	nd about his study of the bible with?		
anat gill		22	A	Not that I know of.		
Educati		. 22	А	I TOL LIIGLI MIOW OL.		
	on Fund care of David Lipscomb University.		^	When you say that he used a mail in his		
Educati A Q	Yes.  And has that fund helped send your	23	Q bible et	When you say that he used e-mail in his tudy, can you tell me what you meant by that?		
	Q A Q A Q A Q A Q A Q A Q A Q A Q A Q A	there now.  Q But it's that family? A Yes. Q Tim Carroll? A He was one of the one of the men that worked under Richard. Q How about John Gray? A He also did. Q Jim Tatum? A He, another one. Q Another Nashville Office Machines A Yes. Q employee?     Jack Bearden? A He was another Nashville Office Machines guy. Q Rufus Murray? A He was Nashville Office Machines. I didn't know him as well.  22 Q Eric Kieffer, K-I-E-F-F-E-R? A Another Nashville Office Machines. Q Fab, F-A-B, Bryant? A That was another one. Q John Kolbe, K-O-L-B-E? A Another one. Q Emory Smith? A That's another one. Q Bill Lill, L-I-L-L? A Another one. Q James Lee? A Another one. Q Paul Billings? A Another one. Q Bobby Armstrong? A He was a friend that just took care of all their vehicles down there that Richard worked with pretty closely. He didn't work for the company. He had his own business.	there now.  Q But it's that family? A Yes. Q Tim Carroll? A He was one of the one of the men that worked under Richard. Q How about John Gray? A He also did. Q Jim Tatum? A He, another one. Q Another Nashville Office Machines A Yes. 18 Q employee? Jack Bearden? A He was another Nashville Office Machines guy. Q Rufus Murray? A He was Nashville Office Machines. I didn't know him as well.  226  Q Eric Kieffer, K-I-E-F-F-E-R? A Another Nashville Office Machines. Q Fab, F-A-B, Bryant? A That was another one. Q John Kolbe, K-O-L-B-E? A Another one. Q Emory Smith? A That's another one. Q Bill Lill, L-I-L-L? A Another one. Q James Lee? A Another one. Q James Lee? A Another one. Q Paul Billings? A Another one. Q Bobby Armstrong? A He was a friend that just took care of all their vehicles down there that Richard worked with pretty closely. He didn't work for the company. He had his own business. 19	there now.  Q But it's that family? A Yes. Q Tim Carroll? A He was one of the one of the men that worked under Richard.  Q How about John Gray? A He also did. Q Jim Tatum? A He, another one. Q Another Nashville Office Machines A Yes. Q employee? Jack Bearden? A He was another Nashville Office Machines guy. Q Rufus Murray? A He was Nashville Office Machines. I C Another Nashville Office Machines Guy. Q Rufus Murray? A He was Nashville Office Machines I C C C C C C C C C C C C C C C C C C C	there now.  Q But it's that family? A Yes. Q Tim Carroll? A He was one of the one of the men that worked under Richard. Q How about John Gray? A He also did. Q Jim Tatum? A He, another one. Q Another Nashville Office Machines A Yes. Q employee? Jack Bearden? A He was another Nashville Office Machines Q Rufus Murray? A He was nother Nashville Office Machines Q Rufus Murray? A He was Nashville Office Machines. I D G Eric Kieffer, K-I-E-F-E-R? A Another one. Q John Kolbe, K-O-L-B-E? A Another one. Q Jam Tatum? A That was another non. Q Emory Smith? A That was another one. Q Jam Sanother one. Q Bill Lill, L-I-L-? A Another one. Q Jam Sanother one. Q Paul Billings? A Another one. Q Bobby Armstrong? A He was a friend that just took care of all their vev	